

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 07-5276**September Term, 2006****07cv01021****Filed On: August 20, 2007**

[1061358]

Federal Trade Commission,
Appellant

v.

Whole Foods Market, Inc. and Wild Oats Markets,
Inc.,
Appellees

BEFORE: Sentelle, Tatel, and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the emergency motion of the Federal Trade Commission for an injunction pending appeal, the opposition thereto, and the reply, it is

ORDERED that Whole Foods Market, Inc. be enjoined from taking any further steps to acquire the stock, assets, or any other interest in Wild Oats Markets, Inc., directly or indirectly, pending further order of the court. The purpose of this administrative injunction is to give the court sufficient opportunity to consider the merits of the motion for an injunction and should not be construed in any way as a ruling on the merits. See D.C. Circuit Handbook of Practice and Internal Procedures 32 (2007). It is

FURTHER ORDERED, on the court's own motion, that appellees file a supplemental response to the emergency motion by 4:00 p.m. on Wednesday, August 22, 2007, specifically addressing each of the eight reversible errors appellant alleges were committed by the district court. See Emergency Motion for Injunction Pending Appeal at 13-14. Any reply is due by 12:00 noon on Thursday, August 23, 2007. The parties are directed to file and serve their pleadings by hand.

Per Curiam